


AMERICAN LOG HOMES, INC.,)
)
Plaintiff,)
)
vs.) Case No. 4:07CV1339 AGF
)
DARRELL J. BOSSE, et al.,)
)
Defendants.)

Following a hearing on the record on August 1, 2008, related to discovery matters,

IT IS FURTHER ORDERED that Defendants' motion to compel discovery (Doc. #49) is substantially **GRANTED**. After the Protective Order is issued, Plaintiff shall supplement its discovery responses under the framework set forth by the Court at the hearing, which shall include disclosure of the basis of its allegations against Defendants. To the extent Plaintiff elects, within the framework set forth at the hearing, to designate its business records for examination as to information (e.g., Interrogatory No. 6), such records shall be clearly segregated and delineated.

IT IS FURTHER ORDERED that Plaintiff's motion to compel discovery (Doc. #60) is **GRANTED** in part and **DENIED** in part, as set forth at the hearing. Defendants shall be required to produce bank account records as to the accounts previously identified by Defendants only through August 2007. Plaintiff's request for credit card information shall apply to all accounts in which any funds from Plaintiff were transferred or applied to make payment. Defendants shall produce all such bank records and credit card records within their possession or control, and shall, to the extent necessary, request relevant material from the banks and credit card companies in question. Defendants' counsel shall notify Plaintiff's counsel of any costs associated with obtaining records from the banks and credit companies.

IT IS FURTHER ORDERED, inasmuch as Defendants are asserting that records responsive to Plaintiff's request were on a personal computer whose data was lost or destroyed, that Defendants shall promptly disclose to Plaintiff, in writing: a) the circumstances surrounding the loss or destruction of the data; b) all persons with knowledge of the circumstances surrounding the loss or destruction of the data; c) the current status of the computer; and d) an identification of the documents responsive to the request that were contained on the computer. Defendants shall preserve the computer as it currently exists.


AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 5th day of August, 2008.